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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 BARRY LAMON,

No. CIV S-03-0423-FCD-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 C.K. PLILER, et al.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant  
18 to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to  
19 Eastern District of California local rules.

20 On March 5, 2007, the magistrate judge filed findings and recommendations  
21 herein which were served on the parties and which contained notice that any objections to the  
22 findings and recommendations were to be filed within 20 days. No objections to the findings  
23 and recommendations have been filed.

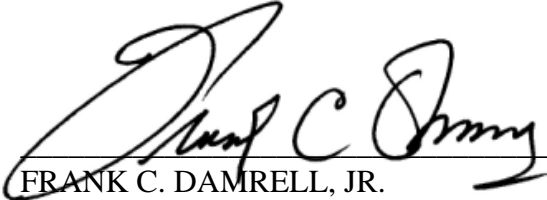
24 The court has reviewed the file and finds the findings and recommendations to be  
25 supported by the record and by the magistrate judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 5, 2007, are adopted in full;
2. Defendants' motion to dismiss is denied; and
3. Within 30 days of the date of this order, defendants shall file an answer to the fourth amended complaint.

Dated: March 29, 2007.

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE